

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES THOMAS RODGERS,

Plaintiff,

No. CIV S-04-2661 FCD JFM P

vs.

OFFICER HAMPTON,

Defendant.

ORDER

On June 9, 2005, plaintiff filed a letter. That document was not served on defendant. Plaintiff is advised that every document submitted to the court for consideration must be served on defendant. Fed. R. Civ. P. 5. Plaintiff is required to serve all documents in this action conventionally in accordance with the relevant provisions of Fed. R. Civ. P. 5. See Local Rule 5-135(b). Since an attorney has filed a document with the court on behalf of defendant, documents submitted by plaintiff must be served on that attorney and not on the defendant. Fed. R. Civ. P. 5(b)(1). Conventional service is usually accomplished by mailing a copy of the document to the attorney's address of record. See Fed. R. Civ. P. 5(b)(2)(B). Plaintiff must include with every document filed in this action a certificate stating the date an accurate copy of the document was mailed to defendant's attorney and the address to which it was mailed. See Local Rule 5-135(b) and (c).

1 Plaintiff is further informed that requests for court action must be made by motion
2 prepared in accordance with the Federal Rules of Civil Procedure and the Local Rules of Court.
3 The court will not make any orders based solely on the allegations in plaintiff's letter.

4 Accordingly, IT IS HEREBY ORDERED that plaintiff's June 9, 2005 letter shall
5 be placed in the court record and disregarded.

6 DATED: June 16, 2005.

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9 UNITED STATES MAGISTRATE JUDGE

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